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FORUM

GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE

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COMMENTARY

Domestic Violence: A National Lesson

by Nan Stein

Ask Beth, the nationally syndicated teenage advice columnist, printed this letter on August 26, 1994:

> ***Dear Beth:*** *Do you think it's wrong to hit someone because you're really mad at her? How can I ignore my girlfriend when she's such a pain? All this O.J. Simpson stuff is making me wonder.* *WONDERING*

As the murder trial of O.J. Simpson unfolds, the nation is learning a crucial lesson on domestic violence. Similar to the "teach-in" on sexual harassment that Anita Hill\Clarence Thomas hearings provided in the fall of 1991, the subject of domestic violence has been the sub-text of the murder allegations. The release of Nicole Simpson's 911 call to the police in October 1993 made public a private nightmare -- a home invasion by her ex-husband, O.J. Simpson, and her private terror of being beaten again by him.

Educators should use this "teachable moment," gleaned from the private sphere of a couple's life and transferred in tragedy to the public sphere, to talk with young people about violence in interpersonal realtionships. Whether known as domestic violence, battering, dating violence, hazing, bullying and, I would argue, sexual harassment, we need classroom lessons and conversations, ones that do not demonize boys, present violent behaviors as inevitable or expected nor scare students from forming close relationships. We need to talk about the impact of these behaviors not only upon the targets and the perpetrators, but also upon the bystanders and observers of these events. Powerful lessons are conveyed when educators interrupt and disrupt these deleterious interactions. Different lessons are transmitted when we remain silent.

We must look at gendered violence in kids' lives. Again, from Ask Beth, on February 3, 1994:

> **Dear Beth:** *I am 11 years old and there's a boy in my class who just won't leave me alone. He chases after me and my best friend during recess. He hits and kicks me on the behind, stomach and legs. Once he slapped me so hard it brought tears to my eyes. I try to tell my teacher, but she just laughs and tells him, "If you like her so much, ask her for her phone number." Is this sexual harassment? If it is, what should I do?*
> *HATES BEING HARASSED*

This teacher infantilized these assaultive behaviors, perhaps perceiving them as flattery. Yet, when I read this letter aloud to middle and high school students, from Massachusetts to Alaska, and ask them "if these people were older, what might we call these behaviors?", I received answers like "dating violence," "assault", "domestic violence," and "stalking." Do the kids know something we adults don't want to know?

<u>The Public Performance of Gendered Violence:</u> <u>Seeing Is Not Believing</u>

Schools may be training grounds for the insidious cycle of domestic violence: girls are trained to accept this battering and assault, are taught that they are on their own, and see that the adults and

others around them will not believe or help them. Similarly, boys receive permission, even training to become batterers. Girls (and sometimes, boys) find that when they report sexual harassment or assault the events are trivialized while girls are demeaned and/or interrogated. Harassers, on the other hand, get the message that, since adults around them fail to intervene, they have tacit permission to continue with their assaults. Indeed, if school authorities do not intervene and sanction the students who sexually harass, the schools may be encouraging a continued pattern of violence in relationships. For all the other students, both boys and girls, who are bystanders or observers of these incidents, different yet equally deleterious messages are delivered - ***what's wrong with you? Why aren't you engaging in this behavior?*** And, most chillingly, -- ***Just wait, you may be next,*** and ***we can't do anything to prevent it.***

Harassment happens while many people watch. Yet, despite rulings from the Office for Civil Rights and at least 10 pending Title IX cases in federal district courts, sexual harassment is still not really considered "violence" -- not by many educators, not by many law enforcement nor public health officials, and not by many nationally appointed or elected political leaders. What gives? The adults can't afford any longer to be in denial -- the kids sure aren't.

On a hopeful note about the difference we can make in the classroom when we raise the subjects of teasing, bullying, and sexual harassment, framed as issues of injustice, civil rights, and seen from the vantage points of the targets, harassers and observers alike, we can encourage children to see themselves as "justice makers" by emphasizing intervention strategies as opposed to behaviors which freeze them into being social spectators (Stein and Sjostrom, 1994).

Returning to the words of children, it is clear that this time from boys who confirm the existence of sexual harassment in schools, and its very public nature, even to the boys who are observers sexual harassment is sometimes scary, troubling, and certainly disruptive to the educational environment.

"Today, as usual, I observed sexist behavior in my art class. Boys taunting girls and girls taunting boys has become a real problem. I wish they would all stop yelling at each other so that for once I could have art class in peace. This is my daily list of words I heard today in art that could be taken as sexual harassment: bitch, hooker, pimp, whore."

"Today for the first time I was witness to sexual harassment in my gym class. A couple of girls came into the exercise room today and suddenly, almost like a reflex, some of the boys began to whistle at them and taunt them. I was surprised since I had never seen this kind of behavior from my gym class before. Some of the boys that I considered my friends even began to do it. I felt awful to watch, but if I said anything it would not stop them and would only hurt me."

"Today in class people reported their findings as ethnographers; that is, they told the class about the examples of sexual harassment they had witnessed. There were some pretty bad examples. It's amazing that this stuff goes on at our school. I think that part of the problem is that some kids don't know what sexual harassment is, so they don't know when they are doing it. One of the things that scared me was that no one said they had any trouble finding examples. Everybody found at least one or two examples and most people found many more. I found out that it happens everywhere: in the halls, the cafeteria, or even at basketball try-outs. It happens every where that teachers are not in direct supervision of the students."

"I think it's good that the eighth graders are doing the curriculum at the same time, because then we can discuss it during lunch and stuff. I really do think that people are learning a lot from it. I mean, the person at our table at lunch who used to really be a sexual harasser has stopped and actually turned nice when all the girls at our table told him to stop or we would get Mr. (teacher) into it. I don't think he realized that what he was doing was really making us uncomfortable."

Just wait, you may be next, and we can't do anything to prevent it.

These journal entries are hopeful beyond the insights, reflections, and behavioral changes in their peers which these students documented. These words point the way towards the impact that age appropriate, deliberate, and teacher-led structured conversations and lessons on difficult subjects can have in the lives of students. By creating a common classroom vocabulary and offering non-punitive and non-litigious ways to probe controversial and troubling subjects, educators and their students can confront and reduce sexual harassment and gendered violence in the schools. The first step is to recognize that sexual harassment, a gendered form of violence, is a common feature in children's lives in schools and that most adults are sitting back, watching it happen or treating it with "a wink and a nod." The next step is for the adults to name it as the kids see it, and to take it on -- publicly, in the classroom and throughout the whole school community. To eliminate sexual harassement in schools, a publicly performed and permitted form of gendered violence, might just be one of the ways to reduce the national epidemic of domestic violence.

[Nan Stein is the Co-Author of the curriculum on sexual harasment for 6th-12th grade students, **Flirting or Hurting?**, and the Senior Research Associate for Wellesley College Center for Research on Women]

Resources for Teens

1. BRIDGE OVER TROUBLED WATERS
(617) 423-9575
Individual counseling for teens

2. DOVE - (617) 773-HURT
24-Hour Hotline
Teen dating violence awareness groups at high schools. Call Fannie Naggar for more information 471-5087. Pamphlets are available.

3. SAMARITEENS - (800) 252-8336
24-Hour hotline that provides support and referrals for teenagers who are feeling lonely, depressed or suicidal.

4. ROCA-Reaching Out to Chelsea Adolescents
Chelsea: (617) 889-5210
Ramon Hernandez
Revere: (617) 284-6281
Maria Torre
Peer leadership group consisting of four young women who provide outreach services to high schools and individuals. Spanish speaking. Will be providing pamphlets, making presentations and conducting workshops.

5. TEEN LINE - (617) 534-5700
A crisis intervention, information and referral hotline for adolescents.

6. WOMANSHELTER\COPANERAS
Provides a video on teen dating violence prevention. for information or to order the video, call Kathleen Dowd, (413) 538-9717.

7. SOUTH SHORE WOMEN'S CENTER
(617) 476-2664 - Individual counseling, School workshops. Beginning to form after school groups for teens.

8. CHOICE THROUGH EDUCATION\SAFE HAVEN
(617) 884-4706 - Contact-Daniel Viggiani - Provides emotional support and referrals, especially in teen dating violence intervention and related trainings. Provides a life skills curriculum.

9. FLIRTING OR HURTING?
A curriculum on sexual harassment for 6th-12th grade students by Nan Stein & Lisa Sjostrom. For information, contact Wellesley College Center for Research on Women, Publication Office at (617) 283-2510.

Teen Dating Violence: A Response

by Diana Brensilber

The Dating Violence Intervention Project (DVIP), a collaboration between Transition House and EMERGE, was created to address the increasing problem of violence in adolescent dating relationships. Transition House is a shelter for battered women and children and EMERGE is a program providing counseling and education services to abusive males. An increasing number of hotline calls made by young women concerned the advocates of the Transition House. Even more troubling to them was seeing young women return to the shelter as battered wives when they had been there years earlier as children when their mothers were battered. The DVIP has provided a response to this problem and states as its primary goal to prevent dating violence and sexual abuse in adult relatonships by educating teenagers about those issues. The primary goal of the project is to prevent dating violence and sexual abuse in adult relationships by educating teenagers about those issues.

Encouraging schools and youth programs to develop violence prevention programs is a primary goal of the DVIP. The project has developed a useful training curriculum for teachers and other community educators to help teens identify abuse and its causes. Project facilitators hope that by learning about dating violence, teens will gain self respect as well as respect for others.

Approximately 4,000 teens in 20-25 schools or youth programs receive the curriculum each year. DVIP has trained 400 teachers and counselors. Beyond the training curriculum, the DVIP offers school-based counseling\therapy for both victims of teen dating violence, sexual assault and incest, as well as the aggressors in violent relationships. More than 500 teens receive peer leader training from DVIP staff each year. This training helps teens understand dating violence by defining abuse and respect, examining the "ideal date", and debating and recognizing sex role stereotypes. As a result, the peer leader is a valuable source of information for teens who are in abusive relationships.

The Coaliton of the Massachusetts Battered Women's Service Groups is currently drafting a resource guide, which will include a listing of shelters and services provided for teens.

[Diana Brensilber is a research associate for the Executive Office of Public Safety's Program Division]

Warning Signals

Signs that can help parents determine whether their child is in an abusive relationship

Using Male Privilege - Treats her like a servant, makes all the decisions.

Isolation - Controls what she does, who she sees and talks to and where she goes.

Emotional Abuse - Puts her down, calls her names, makes her think she's crazy.

Economic Abuse - Tries to keep her from getting or keeping a job, makes her ask for money.

Threats - Makes and\or carries out threats to do physical or emotional harm. Threatens to take children, to commit suicide.

Sexual Abuse - Makes her do sexual acts against her will.

Intimidation - Puts her in fear by using looks, actions, gestures or loud voices, smashing things, destroying her property, abusing pets, displaying weapons.

Denying, Blaming, Minimizing Makes light of the abuse and doesn't take her concerns seriously, shifts responsibility for abusive behavior and says she caused it.

If she is in an abusive relationship, parents can encourage their child to:

- Leave the relationship.
- Obtain a restraining order if necessary.
- Seek counseling.

[Source: Abuse Project]

WHAT CAN SCHOOLS DO TO RESPOND?

With the alarming statistics indicating that dating violence affects at least one in ten teen relationships it is becoming paramount that schools develop policies to respond to the increase and severity of interpersonal violence. Policies need to address methods to increase awareness of the issues for both students and staff, and to give the clear message to students, staff, and the community that violence will not be tolerated. The development of policies and procedures will help create a school climate that is supportive, respectful, and committed to providing a safe environment conducive for learning. The following information was prepared in the spirit of such efforts promoting violence prevention and intervention. Additionally, the development of a multi-disciplinary approach including the police, courts and community should be considered to best address these issues in a coordinated manner.

WHAT CAN A SCHOOL SYSTEM DO TO HELP PROTECT A STUDENT WHO HAS TAKEN OUT A RESTRAINING ORDER?

Staff and student awareness of dating violence issues are increased through training, policy development and implementation. It is hoped that all students will have an understanding of the school's sensitivity and commitment to insure safety for students who have obtained a restraining order through the court, through the utilization of safety plans and development of protective measures in school. School systems may want to develop their policies in collaboration with the police, courts, shelter legal advocates and the D.A.'s office. With this in mind, students should be encouraged and feel comfortable in approaching administrators to assist them in the process, so that the appropriate actions and safety planning will occur.

ONCE THE SCHOOL IS NOTIFIED OF A STUDENT'S RESTRAINING ORDER:

- The school administrator may want to hold **SEPARATE** meetings with each student and his\her family to gather any information, review the order and the implications.

Included as a part of this meeting should also be an agreement as to who this information will be shared with.

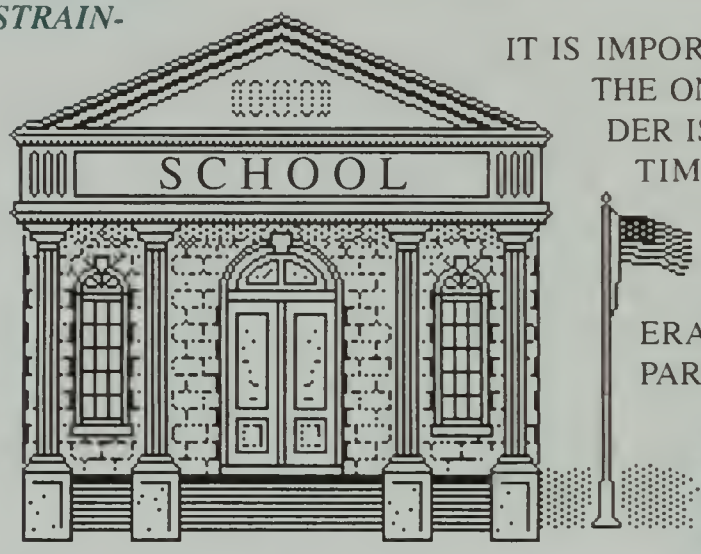
- A "Safety Plan" should be worked out to address the victim's needs, including "safety stops," staff to report to if concerns arise or a violation occurs, and any schedule changes that may be considered. This meeting should include a discussion of guidelines for appropriate behavior of the victim, such as not making comments to others which may inflame the situation.

- With the named defendant it is important to review the terms of the order, expectations around appropriate behavior, and the consequences for violation of the order.

- When possible it is important to address and make schedule changes to avoid face-to-face contact. When schedule changes are not possible, guidelines should be established around expected behavior.

WHAT GUIDELINES SHOULD BE CONSIDERED?

- It is important to establish clear guidelines around expected behavior in compliance with the issued order, for the benefit and safety of all parties. These could include: delineation of space between parties (feet, yardage, routes to classes), class or schedule changes. Giving a clear message that there should be no exchange (verbal or non-verbal, threatening or non-threatening) of comments, notes, gifts, or gestures is critical. This also includes no exchange of messages, notes, or gifts through a third party friend, student or staff member. **NOTE**: Given the reality of the close proximity within the school setting and\or the possibility of both students needing to remain in the same class, the order may need to be amended to reflect clear guidelines around contact in such instances.



IT IS IMPORTANT TO UNDERSTAND THAT THE ONUS OF THE RESTRAINING ORDER IS ON THE DEFENDANT. A VICTIM CANNOT VIOLATE THE RESTRAINING ORDER, THOUGH REALISTICALLY, REASONABLE BEHAVIOR AND COOPERATION IS REQUIRED BY BOTH PARTIES.

WHAT SHOULD HAPPEN IF IT APPEARS THAT THE ORDER IS BEING VIOLATED?

- VIOLATION OF A RESTRAINING ORDER IS A CRIMINAL OFFENSE AND SHOULD BE TREATED AS SUCH, BY REPORTING IT TO THE PROPER AUTHORITIES. (Schools may want to develop their own internal reporting mechanism, but ultimately the violation must be reported to police.)

NOTE: It is important that the school support the victim in reporting any violations that have been witnessed or reported. The school does not need to be the judge as to the violation, but should report the violation to the proper authorities for their determination of the necessary action to be taken.

ASSESSMENT INFORMATION SHOULD INCLUDE THE FREQUENCY AND NUMBER OF INCIDENTS:

- pattern or isolated incident, or
- first time reported incident or have there been previous reported incidents.

(This material was prepared through the collaborative efforts of staff from Essex County District Attorney Kevin M. Burke's Partnerships for Violence Prevention, Help for Abused Women and Their Children, and the Massachusetts Regional Prevention Center, Salem)

Children Exposed to Domestic Violence

by Rhiana Kohl, Ph.D.

Within the complex, multifaceted problems associated with domestic violence exist true "innocent bystanders," the children who witness such violence. All too often these children, so devastatingly affected by such exposure have received little attention, especially those left unharmed physically. Yet, evidence shows that millions of children are exposed to violence between parental figures each year. A recent study at the Pediatric Primary Care Clinic in Boston City Hospital found that one in ten children had witnessed a shooting or stabbing before age six years; half of these incidents were at home. The perspective that domestic violence is a "private" family matter continues to interfere with treatment. In fact, many professionals working in this area have found that parents believe their relationships with intimates to be not just off limits from the public domain, but a personal matter inappropriate for the child's inquiry as well. Thus, children are often left to cope on their own.

See No Evil

To single out one variable as a primary "cause" or "risk factor" for violent behavior is unrealistic and dangerous. Nonetheless, compelling evidence suggests that the impact of witnessing violence between parental figures contributes to short and long term emotional disturbances and behavior problems, often violent in nature. Symptoms most often associated with exposure to domestic violence are similar to those for Post Traumatic Stress Disorder (PTSD).

Problems exhibited by these children include developing feelings of emotional detachment along with anxiety about separation from caretakers, avoidance of all reminders of the incident, depression, anger, guilt, psychosomatic problems, sleep disturbances and nightmares from recurring images of the event. The resulting fatigue and other adverse effects often contribute to poor concentration and a decline in school performance.

Hear No Evil

The negative effects of exposure to violence in the home are mediated by the gender and age or developmental stage of the child as well as the length and frequency of the exposure. Children in violent families reportedly show a greater frequency of externalizing (i.e., aggression), especially boys, and internalizing (i.e., withdrawn, anxious) behavior problems compared to children from nonviolent homes. The development of more aggressive behavior combined with the need to protect one's mother from further harm, can have a catastrophic effect. One study determined approximately 63% of persons between 11 and 20 years incarcerated for homicide were convicted for murdering their mother's abuser. Many of these children try to act tough and mask their fears. They often stay home from school to protect their mothers from being assaulted in their absence. They are often traumatized by fear, frequently blaming themselves for not preventing the assaults, even believing that they are part of the cause. A tendency to lose respect for the victim and identify with the aggressor is common with children over age five.

Stong evidence supports the notion that witnessing violence in the family of origin is the most consistent and leading "risk factor" in predicting subsequent domestic violence for both husbands and wives. Spousal abuse demonstrates an "in-home" lesson on the role of violence in relationships. Children may learn this behavior as an acceptable means of achieving their goals.

With all this exposure to negative and aggressive role models and the endorsement of violent behavior, why is it that some of these children do not repeat a violent pattern of behavior? Many children are remarkably resilient in their adaptions. These children cope best when their sense of value and worth can be affirmed and significant adults in their lives are available to help them cope with their trauma. Temperament theory is applicable here too, as more evidence supports the notion that children are born with a strong bias favoring certain moods and styles of reacting. All such temperamental characteristics can be changed by experience, and all require certain experiences to be actualized. This supports the critical influence one's environment and nurturance play in directing these temperamental qualities to channel them in a healthy, functional, nonviolent direction.

With this in mind, what's being done about it? The Child Witness to Violence Project (CWVP) at Boston City Hospital is based on the premise that early intervention can help ameliorate the long term adverse effects of exposure to violence. They work in a collaborative effort providing counseling and support services to children and their families as well as training and consultative services to the police and community. This unique link is crucial since police officers are often the first on the scene of violent events, in a position to make appropriate referrals, and need proper resources and support to best serve children and families caught in violence.

The notable success of the program equals the commitment of the Project Director, Betsy McAlister Groves, LICSW and her dedicated staff. Evidence of the project's accomplishments includes the police department's positive response to working together. What was initially intended to be a more didactic police seminar on child development and the dynamics of family violence has evolved into a two-way exchange where all involved have an opportunity to learn about the experiences and knowledge unique to their working environment. This situation has provided officers with an outlet to express their concerns and frustrations. Furthermore, the service provider's understanding of what actually occurs when the police respond to domestic violence calls and the dangerous situations they encounter has been enhanced.

The primary sources for referrals to CWVP come from the hospital community, followed by the police and other criminal justice agencies. Evidence that awareness of the problem and identification of CWVP's services has grown is reflected in the increase in referrals from community sources and the families themselves. Some problems endured have been in confining the scope of their services to referral sources, maintaining uniformity in the context of which police referrals are made, and the need for transportation for clients to obtain counseling. Ideally, more families might utilize their services if the project could reach further into the community. Better coordination is needed between the services provided for adults and children. It is also important for all those involved in a violent family situation to recognize that services are still needed even after a crisis is over. Likewise, besides the traditional reluctancy found among families in violent homes to receive services, issues pertaining to cultural differences in parenting practices have also surfaced.

Clearly intervention in this manner contributes tremendously to not only breaking the intergenerational cycle of violence, but treating the often unnoticed bystanders so deeply affected, the children. More research is needed to obtain accurate data specifically about children who witness domestic violence, including those emotionally scarred, if not physically injured. We need to educate professionals, especially those in health care and education, to think of violence as a public health problem and encourage them to ask appropriate questions to identify those in need. If the topic is approached more matter-of-factly, avoiding the tendency to create a feeling of inappropriate intrusion into a private, embarrassing domain, more children could be provided with a means of expressing their distress and concerns and discovering that this happens to others. These children should be provided with not only the resources to break the cycle, but the skills needed to identify resources on their own. Many children, especially those with histories of witnessing domestic violence, will most likely confront potentially violent situations in their future. Thus, they need to be equipped with the strength and ability to deal with these situations appropriately, so they may grow and develop to their full potential.

A recent study at the Pediatric Primary Care Clinic in Boston City Hospital found that one in ten children had witnessed a shooting or stabbing before age six years; half of these incidents were at home.

All inquiries about CWVP can be directed to Betsy McAlister Groves, LICSW, at (617) 534-4244.

Also note that the Transition Subcommittee of the Governor's Commission on Domestic Violence has on its agenda to evaluate all existing research on children exposed to domestic violence. Contact Judith Lennert, Esq. at the Massachusetts Coaltion of Battered Women Service Groups.

[Rhiana Kohl, Ph.D. is the Deputy Director for the Statistical Analysis Center at the Executive Office of Public Safety's Program Division]

Governor's Commission on Domestic Violence

Andrea M. Delfino, Layout & Design

The Governor's Commission on Domestic Violence is welcoming contributions for the Spring 1995 issue. Please call or send in ideas for articles and letters to Andrea Delfino at the Executive Office of Public Safety's Program Division, 100 Cambridge Street, 21st Floor, Boston, MA 02202. For publication in the Spring Edition of *FORUM*, submissions must be received by April 14, 1995.

The views and opinions expressed in ***FORUM*** are those of individual authors and do not necessarily reflect the views of the Commission.

FORUM is a periodical of the Executive Office of Public Safety published in collaboration with the Governor's Commission on Domestic Violence. Its purpose is to provide a forum for discussion and serve as a clearinghouse for information on the issues addressing the declared public emergency of domestic violence. We welcome your comments and story contributions to ***FORUM.***

F O R U M

An Update on the Work of the Subcommittees of the Governor's Domestic Violence Commission

Community Education

The primary goals of the subcommittee is to increase community awareness around the issues of domestic and teen dating violence. In October, 1994, the teen dating subgroup, with Lt. Governor Cellucci, outlined to the Board of Education, the importance of addressing teen dating violence in schools and encouraged the establishment or comprehensive school based educational and support/ intervention services addressing teen dating prevention. The subgroup is working with the Department of Education on implementation. Also, in the fall, members of the subcommittee participated in a forum on responsible media respone to domestic violence to students at Emerson College, and the health care subgroup wrote draft guidelines establishing roundtables on domestic violence for health care providers. The subcommittee's goals for 1995 are: 1) to work with Department of Education in establishing initiatives in schools statewide; 2) to provide more forums on role of media and domestic violence prevention; 3) to dialog with the batterer intervention sub-group the need for public awareness around batterer intervention programs.

Transition

Working Groups
AFDC
Affordable Housing
Child Protection

It is believed that over 3 million children witness parental violence nationally each year. The Massachusetts Department of Social Services estimates that domestic violence is present in upwards of 70% of its substantiated child abuse and neglect cases. Experts agree that the children of domestic violence are at risk of deep and enduring harm as a result of their exposure to the abuse of their mothers.

In order to help develop a comprehensive policy response to this problem, the subcommittee has the following goals: 1) to collect and analyze the clinical evidence of both short and long term damage; 2) starting from areas of general expert agreement, to determine what policy initiatives emerge that would constitute an effective response to children already harmed by exposure to domestic violence, empower battered mothers to protect and care for their children, and also prevent additional injury to the children of abused or at-risk women; and 3) to develop a set of specific policy and resource recommendations.

Representatives with substantive expertise in the areas of child protection, domestic violence and family law are participating with the assistance from two social work graduate students. Point person for the project is Judith Lennett, the Project Safe Family Coordinator of the Massachusetts Coalition of Women Service Groups.

The subcommittee has developed and submitted to EOCD proposed policies for "Domestic Violence Transfers Within Local Housing Authority Developments" and "Domestic Violence Transfers Between Different Local Housing Authorities"; as well as proposed criteria for the "Substantiation of Need for Domestic Violence Transfer" and "Substantiation of Homelessness Due to Abuse". Currently, these practices are erratic across the state and battered women are often not aware that they can transfer their housing if they are at risk. Our goal is to have EOCD issue model policies, conduct domestic violence trainings for housing authority and housing facility staffs, and produce a brochure informing battered women of their safety options for this initiative so they can explore its feasibility. Point persons for this Working Group are Cathy Green, Mass. Coalition for Battered Women Service Groups and Barbara Zimble, Greater Boston Legal Services.

The AFDC working group has met twice with the Commissioner and staff of DPW and brought to their attention recently obtained research which indicates that the majority of welfare recipients in several states are victims of domestic violence. A project is being undertaken with DPW to survey AFDC recipients to determine how many of them are, or have been, victims of domestic violence and how the violence has impacted them economically.

Legislative

Two laws that will strengthen the ability of law enforcement officers to act swiftly in certain cases of domestic violence were recently signed into law by the Governor. The laws, An Act to Reform the Warrant System and An Act Authorizing Arrest Without A Warrant in Misdemeanor Domestic Violence Cases, were two of the top legislative priorities of the Commission. The subcommittee will begin reviewing the domestic violence legislation filed for the 1995 session as soon as committee assignments and bill numbers have been designated.

Uniform Enforcement

The next meeting of the Uniform Enforcement subcommittee was scheduled for March 8, at the office of the District Attorney Tom Reilly, 440 Thorndike Street, Cambridge. The purpose of the meeting is to discuss and review the Uniform Enforcement Standards for Prosecutors and Police distributed to all Police Chiefs and District Attorneys this past July. Letters have gone out to the Chiefs of Police throughout the Commonwealth inviting their comments and suggestions. We will also be discussing any new tasks for the subcommittee in 1995, including enforcement of the standards.

Batterer Intervention

The Department of Public Health has completed the revision of the Massachusetts Standards and Guidelines for the Certification of Batterer Intervention Programs. The revisions were based on testimony received from public hearings held in the fall on the revised guidelines recommended by the subcommittee.

From The Hill

December 28, 1994

Governor Weld signed an Act Regulating the Warrant System. A new computerized system will be established and will allow police officers to act on an electronic warrant. The Warrants legislation was identified as a priority of the Governor's Commission on Domestic Violence.

January 13, 1995

Governor Weld signed an Act Authorizing Arrest in a Misdeameanor Domestic Violence Case. This law clarifies police power in making arrest without warrant, and was a legislative priority for the commission.

January 24, 1995

Governor Weld and Lt. Governor Cellucci filed the FY 96 House One Budget which includes $19.9 million for domestic violence prevention spending, a 45% increase over fiscal year 1995 spending levels.

February 14, 1995

Witness to Violence, a national collaborative public artwork created by Bob Markey and designed to heighten public awareness of male violence against women was displayed at a State House event. Legislators, advocates and members of the commission participated.

FORUM
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Executive Office of Public Safety

William F. Weld, Governor; Argeo Paul Cellucci, Lt. Governor; Kathleen M. O'Toole, Secretary, Executive Office of Public Safety; Brooke White Sandford, Executive Director, Governor's Commission on Domestic Violence

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GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE

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COMMENTARY

THE POLICE AND ELDER DOMESTIC VIOLENCE

John S. Scheft
Director of the Elderly Protection Project
Office of Attorney General Scott Harshbarger
and
Donna Reulbach
Director of Protective Services, Executive Office of Elder Affairs

Our rapidly increasing elder population affects any community problem currently addressed by law enforcement. Domestic violence is no exception.

While the police response to domestic violence is largely the same regardless of the age of abuser or victim, there are aspects of elder domestic violence that differentiate it from incidents involving younger people. Often, there are different dynamics to elder abuse. Furthermore, officers have the additional legal and ethical responsibility to report cases to their local protective service agency.

> ***While the dynamics of elder domestic violence may be different, its impact on victims is similar. We sometimes fail to see this because elders are typically not as vocal as younger victims. They tend to suffer in silence. Heightened awareness is the key in a world all too ready to accept an elder's implausible explanation about a visible injury, attribute it to "poor health" or "complaining," or dismiss it because the traumatized elder appears "senile."***

Dynamics

The dynamics of elder abuse differ in several important ways. First, elder victims are more reluctant to report abuse. They grew up in a time when family violence was more accepted and, for the most part, viewed as a private family matter. In addition, elders may be extremely afraid that removal of the abusive caregiver will force them into a nursing home or result in retaliation by the caregiver once he or she is released from custody. Elders may be less aware of the availability of restraining orders than younger victims, which necessitates that officers be particularly careful in explaining the elder victim's rights.

Second, the perpetrators of elder domestic violence cover a broad spectrum. Unlike younger couples, elder abuse is not confined to partners. Most cases involve a spouse, but a good percentage of the abuse comes from the hands of a child, relative or other non-related caregiver who visits the house. Most abuse is intergenerational and perpetrated by overwhelmed caregivers—many of whom are elders themselves. At present, 10% of the people over age 65 are old enough to have children over 65.

Third, elder violence increasingly involves a woman abusing a man, sometimes quite seriously. In the typical case, a previously abused woman will turn on her spouse as his health deteriorates. Police may tend to overlook these situations because they are so used to encountering male perpetrators. However, officers must respond to victimization regardless of the gender of the abuser.

While the dynamics of elder domestic violence may be different than other forms of domestic violence, its impact on victims is similar. We sometimes fail to see this because elders are typically not as vocal as younger victims. They tend to suffer in silence. For this reason, officers and other professionals must investigate any signs of abuse, no matter how subtle, to avoid overlooking

potentially abusive situations. Heightened awareness is the key in a world all too ready to accept an elder's implausible explanation about a visible injury, attribute it to "poor health" or "complaining," or dismiss it because the traumatized elder appears "senile."

These cases require a greater degree of patience on the part of responding officers. Officers must be sensitive both to the elder's reluctance to report incidents as well as to any sight, hearing or memory impairment that may make it difficult for the elder to relate what happened.

> *"The problem of elder abuse is too complex to be addressed solely by the police."*

Mandatory Reporting

Another critical aspect of elder domestic violence is the officer's additional responsibility, beyond those obligations imposed by Chapter 209A, to report elder abuse to elder protective services. At present, 27 local agencies under the direction of the Executive Office of Elder Affairs receive and investigate reports and attempt to provide services.

In a nutshell, Chapter 19A mandates: When officers have reasonable cause to believe that an elder, who is 60 years of age or older, has suffered or is suffering from:

- Abuse (injury caused by someone's physical, sexual or emotional conduct); or
- Financial Exploitation (substantial financial loss to the elder caused by someone's actions or failure to act); or
- Neglect (a caretaker's refusal or failure to provide one or more of the basic necessities of life); or from a combination of these acts,

officers must immediately make a *verbal report* to their local protective services agency or to the local elder abuse hotline: 1-800-922-2275. They must also file a *written report within 48 hours* of their oral report. Reporting is so critical that the law protects officers who file a report from civil liability. On the other hand, failure to report may result in a criminal fine up to $1,000.

The Police/Protective Service Alliance

The problem of elder abuse is too complex to be addressed solely by the police. Police intervention can uncover and then stabilize an abusive situation, but officers are not equipped to provide the case assessment and follow-up services that are so crucial to a resolution of the problem. Local protective services agencies have the expertise to pick up where police involvement ends. Services such as adult day care, meals, transportation and counseling, to name just a few, can help to change a chronic situation requiring repeated police involvement to a less volatile one. This is why a strong police and protective services alliance is at the heart of preventing and responding to elder abuse.

For further information, contact John Scheft, 617-727-2200 or Donna Reulbach, 617-727-7750.

A Message From the Director

JONATHAN M. PETUCHOWSKI

Dear FORUM Readers,

I want to take this opportunity to introduce myself to the readers of ***FORUM****. I have recently joined the Executive Office of Public Safety as the Executive Director of the Programs Division—the grants management program of EOPS. I am an attorney and most recently worked as a Legislative Director on Capitol Hill in Washington, D.C.*

Having already attended a meeting of the Governor's Commission on Domestic Violence and having worked with a number of its members, I can see that there is a strong commitment in Massachusetts to a comprehensive and coordinated interagency approach to reduce and prevent domestic violence and to provide the highest level of protection and shelter possible to its victims.

Now that the U.S. Department of Justice has awarded a grant to Massachusetts under the Violence Against Women Act, I look forward to working with the Commission to develop a statewide implementation strategy to maximize our resources. This process will bring together representatives of law enforcement, prosecution, the courts and victim services providers.

The ***FORUM*** *can serve as an important tool to increase public awareness of domestic violence and efforts in our state to address it. I hope that you will share your views with us.*

Sincerely,

Jonathan M. Petuchowski

Adult and Child Victims Deserve Protection

Sarah M. Buel
Assistant
District Attorney,
Norfolk County

All too frequently battered women in our communities are forced to place their children and/or themselves in physical danger, in order to comply with court-ordered visitation. Sometimes police departments are asked to act as intermediaries and drop-off sites, although they are ill-equipped to handle the related problems, while conducting other law enforcement business. **Each community needs at least one Visitation Center.**

A Visitation Center is the ideal mechanism to facilitate the safe exchange of children for visitation and/or provide supervised visitation. They are critical to reducing the opportunity for further child and partner abuse, and serve to minimize the trauma, fear and anxiety of at-risk parties. In recognition of their integral role in the network of social services, the state of Arizona has statutorily mandated that each county have a Visitation Center. They are established not only to deal with family violence situations, but also to help non-custodial, abusive or neglectful parents gradually resume parenting responsibilities (particularly if modeling of good parenting is needed). Visitation Centers can provide a range of services as the following case examples illustrate:

Case #1: A divorce is pending in which a restraining order has been issued against the abusive husband/dad, with the judge ordering visitation on alternate Saturdays and Sundays, from 10 am to 6 pm. Mom expresses fear of Dad coming to her home to pick up and drop off the children because she could be further endangered. In this scenario, Mom has not reported physical harm to the children; a safe place to exchange the children for visitation is needed. At their neighborhood Visitation Center, Mom would drop off the children at 9:30 am and return to pick them up at 6:30 pm. Dad would pick up the children at 10 am and return them at 6 pm. In the intervening half hours, the children would play in large, brightly decorated and equipped rooms, with trained staff. The best Centers also offer support groups for children to process all the changes, trauma and conflicts occurring in their lives.

Case #2: Mom is a battered woman and recovering substance abuser who lost custody of her child during drug treatment. She is now seeking to regain custody, but acknowledges that she sometimes hits her child too much, especially when he has temper tantrums. In this case, the Visitation Center can set up supervised visitation so that Mom has a trained therapist with her to assist in difficult parenting situations during visits. Parents who observe non-violent parenting change their methods more quickly than parents who are *told* what to do.

Pat Kelleher, the founder and executive director of the Brockton Family and Community Resource Center's Visitation Center recommends that a Visitation Center begin by being open two evenings a week from 3 to 7 pm and all day Saturday or Sunday. Her experience indicates that the following start-up staff is necessary:

- A full-time coordinator;
- Many volunteers (5 per each full day and 2 for each week night);
- A security officer; and
- A case supervisor (a consultant child therapist).

In addition, a new Visitation Center will need:

- Supplies (snacks, diapers and playthings for children);
- Resource materials about associated legal and social service agencies;
- Liability insurance; and
- Space for separate entrances for custodial and non-custodial parents, play areas, waiting areas and parking facilities visible to the security guard.

For further information, please contact Pat Kelleher, 508-583-5200.

Domestic Violence Show Cause Hearing

Andrew P. Quigley
Hingham District Court, First Assistant Clerk Magistrate

There is no question that domestic violence is an area of the law which deserves special treatment by the criminal justice system. But at present, the specific statute, G.L. c. 218, s. 35A, which most often is invoked when civilian complainants come to a clerk-magistrate does not recognize the unique nature of the crimes associated with domestic violence.

If indeed clerk magistrates should handle crimes involving domestic abuse differently than other crimes, then the statute should be rewritten to make such a distinction. Without specific statutory direction, each clerk magistrate is left in the position of having to follow his or her "gut" instinct when confronted with an application from a domestic violence victim, a situation which inherently provides for a lack of uniformity in the manner in which the court system addresses this pressing issue.

A dilemma which frequently confronts a clerk magistrate of the district court is what action he or she should take on an application for a criminal complaint in which it is alleged that a defendant either has committed certain misdemeanor crimes (usually in the form of threats [G.L. c. 275, s.2] or an assault and battery [G.L. c. 265, s. 13 A] which have formed the basis for the issuance of a c. 209A restraining order or has committed a violation of an existing c. 209A restraining order (which also is a misdemeanor).

G.L. c. 218, s.35A provides that when an individual has been accused of a misdemeanor, she or he is entitled to a hearing (commonly referred to as a show cause hearing) before a clerk magistrate with notice, although a clerk magistrate may act upon the application and issue criminal process without notice to the defendant if the clerk magistrate determines "that there is an imminent threat of bodily injury."

The predicament for a clerk magistrate arises when the complainant who is bringing forward the application expresses a fear of the alleged perpetrator and a desire not to confront the defendant at a show cause hearing. In addition, clerk magistrates are cognizant of the general propensity for violence in domestic abuse cases which we read about in the headlines on a daily basis.

Thus, the clerk magistrate must decide whether to provide the accused with his statutory right of "an opportunity to be heard personally by counsel in opposition to the issuance of any processes on such complaint" or whether to accede to the alleged victim's desire to have action taken upon the application as soon as possible and without a hearing.

At a recent domestic violence training, an instructor suggested that clerk magistrates should consider issuing warrants as a first option, rather than scheduling hearings. The explanation was that a defendant accused of criminal offenses may become enraged and attack the complainant prior to the hearing.

Such logic inverts the statutory scheme. G.L. c. 218, s. 35A presumptively entitles the accused to a hearing, unless it is shown to the clerk magistrate that there is a threat of imminent harm. But, at the seminar, it was recommended that clerk magistrates issue a warrant unless they believe that there is *not* an imminent threat of harm.

By law, a clerk magistrate is a neutral and detached judicial officer whose duty it is to ensure that the statutory and constitutional rights of an alleged defendant are not violated. In this context, clerk magistrates serve as the gatekeepers of the criminal justice system when confronted with requests for search warrants, arrest warrants, and the issuance of criminal process brought forward by the police. But now clerk magistrates are being urged to abrogate that role and open the gates, so to speak, when domestic violence is at the center of the issue.

In addition, issuing process without a full hearing may not be in the victim's best interest. Any lawyer worth his or her salt will file a motion to dismiss the complaint before the judge on the basis that the defendant was not afforded his right to a hearing. If the judge allows the motion, then the complainant must start the process all over again, a daunting task which can only add to the victim's mistrust of the system.

In our court, we have issued arrest warrants based upon ex parte testimony under oath and on tape from civilian complainants. However, we also have denied requests for ex parte action on applications for complaints because of the competing interest of the defendant's right to a hearing. But the decision is never an easy one.

For further information, contact Andrew Quigley, 617-749-7000.

Recent Events

Victim Rights Strengthened

On May 16, Governor William Weld signed the new Victim Bill of Rights into law to benefit victims of domestic violence and other crimes. The new law establishes new rights for crime victims and expands their rightful role in the criminal justice system. The law takes effect on August 13, 1995. More information will appear in the next issue of *FORUM*.

Inter-Faith Conference on Domestic Violence

Are clergy part of the solution or part of the problem when congregants suffering from violence in their homes come to them for help? Clergy and laity from numerous faith persuasions met in June to discuss the impact of domestic violence on their congregations, society and themselves.

The day's program centered on the outstanding video *Broken Vows*—a production of the Center for Prevention of Sexual and Domestic Violence (COSDV) in Seattle, Washington.

For more information, contact Heidi Urich at MOVA, 617-727-5200.

Conference on Immigrant Battered Women

What extra obstacles does an immigrant woman face when she is abused by her United States Citizen (USC) or Legal Permanent Resident (LPR) husband? Can she report the abuse to authorities without fear of deportation? Can the abuser use immigration law as a weapon against her?

Thanks to new immigration laws contained in the federal Violence Against Women Act, abused women in these situations finally have legal options. Those options include "self-petitioning" and suspension of deportation. A New England regional conference addressing the new law was held June 6 at Clark University in Worcester.

For more information, contact: National Immigration Project/National Lawyers Guild, 617-227-9727.

MOVA Hosts African Delegation

Does the term "crime victim" have a universal definition? The Massachusetts Office for Victim Assistance hosted a delegation of leaders from the judicial systems of 21 African countries who had especially requested information on the emerging field of victim rights. The leaders were on a one month tour of the United States under the auspices of the U.S. Information Agency.

The definition of domestic abuse presented a particularly controversial topic for this international assembly which consisted of representatives from Napoleonic, Islamic and Anglo-American judicial systems.

The seminar included presentations by victim advocates from the Suffolk District Attorney's office, Roxbury's Living After Murder Program (LAMP), MOVA, and the Attorney General's office. Genet Bekele, an Ethiopian-born advocate working for the crime victim services section of Boston's International Institute, provided a bridge between African and U.S. cultures.

For more information, contact Cheryl Watson at MOVA, 617-727-5200.

UPDATE

COMMISSION SUBCOMMITTEES

TRANSITION

The **Needs Assessment Working Group** will hold focus groups this summer on the special needs of substance-abusing, mentally ill and non-English-speaking battered women. The **AFDC/Battered Women Working Group** is working with the Department of Transitional Assistance (formerly the Department of Public Welfare) to survey AFDC applicants and recipients to determine the prevalence of domestic violence in each group and its impact on their need for AFDC. The **Children of Domestic Violence Working Group** has completed a second draft of its report, analyzing available research on the issue. The draft will be circulated to a wide circle of experts in the fields of domestic violence and child abuse. The **Civil Court Advocacy Working Group** has been working to educate the legislature about the need for SAFEPLAN, a statewide program to place advocates in all district and probate courts. The **Affordable Housing Working Group** has completed a redraft of *"An Act to Provide Housing for Victims of Domestic Violence,"* and is working with **District Attorney Delahunt** to refile it.

LEGISLATIVE

The **Legislative Subcommittee** has reviewed more than 50 pieces of pending legislation related to the protection of victims of domestic violence. The subcommittee presented their recommended list of priority bills to the Commission and asked for the Commission to vote on the recommended pieces of legislation in April. Upon receiving approval of the full Commission, the Lieutenant Governor sent a letter to legislators outlining the legislative priorities of the Domestic Violence Commission.

UNIFORM ENFORCEMENT

The **Uniform Enforcement Subcommittee** has been meeting to update the 1994 Uniform Enforcement Standards for Police and District Attorneys in Domestic Violence cases. Letters were sent to police departments and district attorneys throughout the state requesting their input for updating the Standards. The subcommittee intends to present the revised version to the Commission on July 13, 1995 for their review.

COMMUNITY EDUCATION

The **Community Education Subcommittee** reports one of the greatest barriers to educating communities about and intervening in the widespread and very serious danger of teen dating violence has been the lack of a cohesive compilation of teen resources for schools and other community organizations to use in their abuse prevention efforts. Responding to this need for a resource guide, and in conjunction with the Teen Caucus of Massachusetts Coalition of Battered Women's Service Groups, the Massachusetts Criminal Justice Training Council, the Executive Office of Education and the Department of Education, the Community Education subcommittee in May published a 43-page booklet, "*Resources for Teens Offered by Battered Women's Programs of Massachusetts.*" Questions? Contact Ann Toda at 617-727-1313 x275.

NEWSLETTER

The **Newsletter Working Group** welcomes contributions for the September issue. Please call or send in ideas for articles to the editor as soon as possible.

COMMITTEES... COUNCILS...

Greater Boston Regional Legal Advocacy Committee Jean C. Haertl	617-891-0724
Massachusetts Coalition of Battered Women's Service Groups	617-248-0922
Domestic Violence Council Valenda Applegarth and Sandy Lundi	617-357-5757
Governor's Commission on Domestic Violence	617-727-2040
Boston Floating Hospital Family Advocacy Clinic	617-956-5255
A.W.A.K.E. Program, Childrens Hospital, Boston	617-735-7979
A.W.A.R.E. Program, New England Medical Center	617-956-1488
Boston Area Rape Crisis Center Mary Coonan	617-492-8306
Cambridge Women's Commission, D.V. Task Force Nancy Ryan	617-349-4697
Massachusetts Parole Board, Victims Services Unit Marcia Hill	617-727-3280
Massachusetts Office for Victim Witness Assistance Marilee Kenney Hunt	617-727-5200
Dorchester District Court, D.V. Roundtable Hon. Sidney Hanlon	617-288-9500
Roxbury District Court, D.V. Roundtable Hon. Gordon Martin	617-427-7000
Attorney General's Family and Community Crimes Bureau, A.A.G. Diane Juliar	617-727-2200
Barnstable District Attorney's Office, D.V. Unit A.D.A. Tom Kirkman	508-362-8113
Berkshire District Attorney's Office, D.V. Unit Elizabeth Keegan	413-443-5951
Bristol District Attorney's Office, D.V., Fall River V.W. Michelle Stanton	508-997-0711
Essex District Attorney's Office, D.V. Unit Lawrence, Massachusetts Lynn, Massachusetts	508-688-1147 617-599-8094
Hampden County District Attorney's Office, D.V. Unit A.D.A. Maria Rodrigues	413-781-8100
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Norfolk County District Attorney's Office, D.V. Unit A.D.A. Marianne Hinkle	617-329-5440
Northwestern County District Attorney's Office, D.V. Unit, A.D.A. Susan Loehn	413-586-9225
Plymouth County District Attorney's Office, D.V. Unit A.D.A. Nancy Adams	508-548-8120
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Worcester County District Attorney's Office, D.V. Unit A.D.A. Phil Shea	508-797-4334

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FORUM is a periodical of the Executive Office of Public Safety, Programs Division, published in collaboration with the Governor's Commission on Domestic Violence.

Its purpose is to provide a forum for discussion and serve as a clearinghouse for information on the issues addressing the declared public emergency of domestic violence. We welcome your comments and story contributions to ***FORUM.***

The views and opinions expressed in FORUM are those of the individual authors and do not necessarily reflect the views of the Commission.

S.T.O.P.
1995

1995
S.T.O.P
Violence Against Women
Formula Grant
Award

S.T.O.P.
1995

In June 1995, the **Massachusetts Executive Office of Public Safety** was awarded $426,324 by the Violence Against Women Program, Office of Justice Programs, U.S. Department of Justice, to implement the 1995 S.T.O.P. Program. The Program is authorized under the 1994 Violence Against Women Act.

The purpose of the S.T.O.P. Program (Services•Training• Officers• Prosecutors) is to develop and implement effective law enforcement, victims services and prosecution strategies to combat violent crimes against women. Those interested in learning more about the awards that will be made under this grant should contact Program Director, Rai Kowal at 617-727-6300 x305.

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FORUM

GOVERNOR'S COMMISSION ON DOMESTIC VIOLENCE

LIBRARY

COMMENTARY

PUT THE LIGHT ON IT: RELIGIOUS COMMUNITIES RESPOND TO DOMESTIC VIOLENCE

By Randi Donnis, Reverend Gerald Osterman, Reverend Jessie Owens, and Reverend Cheng Imm Tan

As representatives of the growing number of clergy and religious community activists seriously concerned about domestic violence, we are working together to raise awareness and develop effective responses to this epidemic. With family violence being the source of so many of the crises that plague our neighborhoods, it is an issue that leaders charged with the spiritual, moral, and social development of religious communities must address. (In this article, the term "family" is broadly used to refer to a couple, whether married or not, and any children in their care.) We are actively working within our respective religions to move through and beyond the silence and denial that have all too often marked traditional religious responses to this problem. We are also finding strength together as an interfaith community to ensure that victims are provided with effective and comprehensive services. In order to develop the vital role that religious groups need to take on a role that, if not accepted, will continue to leave a gap which compromises the safety of victims and the future of our communities- three key areas must be addressed:

By the end of the conference, almost every participant responded on their evaluation forms that the most significant points they had learned were that victims should not be forced to choose between God and safety and that the sanctity of marriage is broken by violence, not divorce.

1. education of religious leaders on domestic violence;
2. development of cooperative relationships between religious and secular professionals in dealing with domestic violence;
3. active involvement of clergy and congregations in responding to and preventing domestic violence.

On June 6th, we took a major step forward in addressing the first key area by sponsoring *Put the Light on It: Religious Communities Respond to Domestic Violence,* a conference to train clergy and other professional and lay religious leaders about the dynamics, extent and impact of domestic violence. Funded by the New England Regional Office of Health and Human Services, this conference was co-sponsored by thirty Christian, Jewish, Buddhist, and Islamic organizations and drew 150 participants.

In order to create an educational environment most conducive to breaking through denial and increasing awareness of the pervasiveness of family violence, the conference included teaching roles for ethnically and religiously diverse secular professionals *and* clergy with experience in the field of domestic violence. Equally important was the use of *Broken Vows*, a powerful film which explored the dynamics of domestic violence through the experiences of formerly battered women and their clergy.

Throughout the day, participants were taught that the primary goal when approached by a victim is to

protect her from further violence. Presenters repeatedly emphasized that the immediate clergy tasks in these instances should include listening and believing, making appropriate referrals to secular experts, and addressing pastoral concerns. An interfaith panel of clergy stressed that religious texts should not be used to condone domestic violence and that it is only human misinterpretation of the text that excuses violence in the family.

> *"An interfaith panel of clergy stressed that religious texts should not be used to condone domestic violence ..."*

By the end of the conference, almost every participant responded on their evaluation forms that the most significant points they had learned were that victims should not be forced to choose between God and safety and that the sanctity of marriage is broken by violence, not divorce. These results were of particular importance since many religions emphasize the sanctity and permanence of marriage and the wrongness of its dissolution. These concepts have often prevented clergy from working with secular professionals or advising battered women to go to shelters, so this new understanding was an important step forward.

The conference also helped many participants to develop new links with domestic violence advocates, law enforcement, and other secular experts. Building on these connections and the dialogue that began with the clergy presentation at the May meeting of the Governor's Commission on Domestic Violence, the religious and secular communities must continue to strive for greater cooperation and a multidisciplinary approach that includes religious concerns. Because domestic violence affects its victims physically, psychologically, *and* spiritually, each of these areas must be addressed in order to respond successfully to the primary needs of the people we are trying to help. When religious issues get raised in the midst of a crisis and cannot be addressed, they will inevitably become obstacles to the victim's efforts to resolve the crisis. All four authors of this article have worked with victims whose first step to safety was meeting with a rabbi, minister, or priest who could address their spiritual concerns. Only then were these women willing to consider calling a shelter or working with law enforcement. In addition, a victim's religious beliefs, congregation, and community can provide an important support system during and after a crisis involving family violence.

Cooperative relationships between religious and secular professionals can also provide resources for the latter group. If a client is expressing important religious concerns that you feel uncomfortable with or unqualified to address, it could prove extremely beneficial to be able to call upon a member of the clergy who is trained to help and whom you know and trust. Occasionally, religious communities can even provide backup support for secular systems. When an observant Jewish woman and her children fled here from another state and no shelter space was available, several catholic nuns provided temporary housing and worked closely with the Jewish community to make sure that kosher meals were provided and religious needs could be met. Closer cooperation between our groups can only lead to better informed members of both the religious and secular communities, thus strengthening all of our abilities to respond more effectively to families caught up in the cycle of domestic violence.

Finally, it is essential for clergy and religious leaders to develop effective strategies for educating and engaging their congregations, religious denominations, and local communities in the struggle against domestic violence. Clergy can break the silence on domestic violence and make the religious community aware of local resources by:

- developing an action plan to follow if a victim or abuser discloses (keep an updated list of shelters and resources);
- learning how to recognize the signs of domestic violence and how to ask appropriate questions to identify victims;
- building a relationship with the domestic violence officer at the local police station;
- giving sermons that address violence in the family;
- developing relationships with local battered women's shelters;
- discussing couple's patterns of handling conflict and discussing domestic violence when meeting for marriage preparation or other life cycle events.
- providing regular training for staff, lay leaders, and religious school teachers;
- including age appropriate material in religious school curriculums.

We have all discovered that victims begin to come forward and ask for help when we transform our congregations into safe spaces where attitudes and behaviors that contribute to an atmosphere of violence against women are not tolerated. Religious leaders must be ready to respond to these requests for support, and we need to be able to call upon the expertise of secular professionals to provide the required resources. It is of great importance that we work together in order to reach the goal we share in common: the creation of safety, healing, and peace within ourselves, our families, and our communities.

Randi Donnis Director of Public Policy, Jewish Community Relations Council of Greater Boston (617-457-8647)
Reverend Gerald Osterman Pastor, St. John-St. Hugh Parish, Dorchester/ Roxbury (617-442-1431)
Reverend Jessie Owens Principal, Parkside Christian Academy, Jamaica Plain (617-522-1841)
Reverend Cheng Imm Tan Unitarian Universalist Ministry (617-739-6696)

U.N. Fourth World Conference On the Status of Women

by
Stacey Kabat

As Marcia Gordon stood to tell her story about being a formerly battered woman from Roxbury, Massachusetts, women from all over the world nodded their heads. When she detailed the violence that she had endured at the hands of her batterer and the lack of response of the police force, tears began to fall. And as she concluded by describing the action she's taken in her community to change this injustice, people joined her by sharing their stories of violence and resistance. This was our common experience in Beijing.

We traveled halfway around the world to attend the Non Governmental Organization (NGO) Forum for the United Nations Fourth World Conference on the Status of Women in Beijing, China. Women from over 185 nations gathered to caucus and to lobby the governmental conference that is held simultaneously to define the agendas for the 21st century and chart the course for the future for women around the world.

The 1995 NGO Forum on Women builds on the three previous Women's Forums and U.N. conferences that marked the Decade for Women: Mexico (1975); Copenhagen (1980); and Nairobi (1985). In Huairou, outside of Beijing, 25,000 women from highly diverse backgrounds: grassroots women; young women; lesbians; older women; and indigenous women gathered to network together, exchange information, brainstorm on global strategies, interact with UN and US officials, and work on the document Platform for Action. The Document was prepared for the governmental conference to set the global agenda for women and has twelve areas of critical concern: poverty; education; health; violence against women; effects of armed conflict; economic structures and policies; inequalities in decision making; gender equality; women's human rights; media; environment; and the girl child.

At the conference, Marcia and I conducted a workshop on domestic violence and human rights. We each offered our stories of domestic violence and screened *Defending Our Lives*, our 1994 Academy Award winning documentary that exposes the severity of domestic violence in the United States. Following the film women from Kenya, Cambodia, Bangledesh, Britain, India, and Nigeria stood and shared their hauntingly familiar stories of domestic abuse. We then presented methods of documenting domestic violence as a human rights violation and shared our various strategies to mobilize communities toward change.

Another exciting aspect about the conference was we were able to meet with U.N. as well as U.S. officials. The U.N. Special Reporter on Violence Against Women, who delivered a very poignant speech on the human rights violations that women face, informed us in her presentation that her second report to the United Nations will focus on domestic violence as the number one human rights violation that women face internationally.

This gathering of grassroots and governmental women from all over the world was a tremendous opportunity to share and support each other and declare our common goal in promoting women's rights as human rights. Now more than ever we value and understand the vital importance of grassroots work. Against many odds, from all corners of the world women gathered to emphasize these points. Their presence certainly spoke to their commitment and renewed hope for the possibility of change. We encourage everyone to join us in implementing the Platform for Action in this decade, and to mark your calenders for a future experience of a lifetime and travel with us to the next World Conference for Women ten years from now.

In August 1995, thanks to the sponsorship of the Reebok Human Rights Program, Stacey Kabat and Marcia Gordon, Executive Director and President of Peace At Home, attended the NGO Forum for the United Nations Fourth World Conference on the Status of Women in Beijing, China.

The Victim's Rights Law of 1995

by Shelagh Lafferty

A new Victims Rights Law was passed by the Massachusetts legislature and became effective on August 13, 1995. One of the most important provisions in the law relative to victims of domestic violence is the expansion of the right to present a Victim Impact Statement at sentencing. In the past, only certain victims were able to give Victim Impact Statements. The new law expands that right to include victims of domestic violence and other crimes which causes physical injury to a person. For domestic violence victims, having the opportunity to express the personal impact of abuse through a Victim Impact Statement may encourage more judges to impose appropriate sentences on abusers and take necessary protective measures to enhance the victim's safety.

Another important change in the law is the right of victims to request confidentiality in the criminal justice system for themselves and their family members. If the court approves a victim's request for confidentiality, no law enforcement agency, prosecutor, defense attorney or parole, probation and corrections official is permitted to disclose or state in open court the residential address, telephone number or place of employment or school of a victim or a victim's family members. For domestic violence victims who may have relocated or are concerned about threats to themselves and their family, this provision can limit an abuser's access to this critical information.

The law also mandates that prosecutors meet with victims before key stages in the criminal proceedings, including the start of the case, a case dismissal, and the sentencing recommendation. The prosecutor is also required to confer with the victim whenever a defense motion has been made to obtain any confidential records of the victim, such as counseling or psychiatric records. In addition, the prosecutor must now note the victim's position on the sentence recommendation, if known, to the judge. These meetings will promote greater communication between the victim and the prosecutor and ensure that the victim's views and needs are considered. It will also help to assure that the prosecutor has all information regarding the true nature and consequences of a crime, and that the victim has a clear understanding of what punishment the offender may receive and why. For many domestic violence victims, these added protections may mean the difference between going forward with or dropping criminal charges.

Similarly, the victim now has the right to meet with the probation officer prior to the probation officer's filing of a full presentance report. If the victim does not meet with a probation officer, probation officers are required to note in the report the reason why contact did not occur. Again, communication with victims will help to ensure that probation officers have a more complete view of the victim's emotional, physical and financial injuries and be better able to assess whether a defendant would be an appropriate candidate for probation.

Other responsibilities toward victims created for probation officers under the new law include: 1) the right to be provided with a copy of the conditions of probation, including a payment schedule for restitution within thirty days, along with the name and telephone number of the probation officer assigned to supervise the defendant; 2) notification to victims whenever a defendant who has been ordered to pay restitution is seeking to modify the order; and 3) the right to be heard at the modification hearing. In the past, victims often found out that a restitution order had been reduced or vacated only after a scheduled restitution payment had not been made.

Finally, the law imposes a new requirement on correctional facilities and other custodial authorities, including the Department of Youth Services, to provide notice of an offender's release *in advance* to victims who have made a prior request. For domestic violence victims, advance notification will enable victims who fear reprisals from an abuser to take any necessary safety precautions. The law also expands the existing notification requirements to include, upon the victim's request, advance notification of an offender's movement from a secure correctional facility to a less secure one. Victims wanting advance notification of an offender's release should contact the District Attorney's Office or the Criminal History Systems Board.

The Massachusetts Office for Victim Assistance has produced a brochure for victims outlining the new provisions of the Victim Bill of Rights. In addition, a comprehensive handbook for victims, entitled *A Guide to Rights and Services for Crime Victims in Massachusetts,* will soon be available to help crime victims better understand the prosecution process, other aspects of the criminal justice system, and their rights as victims.

For more information, contact Shelagh Lafferty at the Massachusetts Office for Victim Assistance at (617) 727-5200

F.Y.I.

Upcoming Events

Violence Against Women Act (VAWA)

The Executive Office of Public Safety will be issuing Violence Against Women Act Grant applications on November 1. Deadline for application is November 30, 1995. Awards will be announced in December 1995. For Further information contact Rai Kowal at 617-727-6300 ext. 305

SCORE

Attorney General Scott Harshbarger's Office will hold a SCORE conference at the Park Plaza Hotel on November 2 & 3, 1995. SCORE is a teen violence, peer mediation program. ***For more information, contact Sheila Martin at 617-727-2200.***

Annual Statewide Conference

The second Annual Statewide Prosecutor, Advocate, Police Domestic Violence Conference will take place at the Seacrest Resort in North Falmouth on November 9 & 10, 1995.

For more information, contact the Massachusetts District Attorney's Association at 617-723-0642

Recent Events

SAFEPLAN Massachusetts

SAFEPLAN Massachusetts, the Commission-supported civil court advocacy project began in Hampshire County on September 11, 1995. SAFEPLAN Advocates are assisting victims of domestic violence with 209A paperwork, safety planning and community resource referrals in Ware District Court, Northampton District Court and Hampshire Probate and Family Court.

209A Forms

New 209A petition forms are in use as of October 1995. The forms were developed by a team that included Commission members. A video tape and manual explaining the forms have been produced by the Judicial Institute.

For more information, contact Erica Bronstein at the Judicial Institute, 617-742-8383

Domestic Violence Awareness Month

October is Domestic Violence Awareness Month. While many events have taken place, these two were brought to our attention*:

-*October 15, 1995,* the **Jane Doe Walk for Women's Safety** took place. Over four thousand people took part, raising over $280,000 for the Jane Doe Safety Fund.

-*October 17, 1995*, the 5**th Annual Domestic Violence Police Training** was conducted by the Attorney General's Office.

To have an upcoming or recently conducted event listed, please contact either Rai Kowal (617-727-6300, ext.305) or Marilee Kenney Hunt (617-727-5200)

Update

Commission Subcommittees

Legislative

The **Legislative Subcommittee** has continued to track bills which are important to the Commission, including aggravated assault and presumption of custody bills. We are hopeful that the coming months will bring passage of an elder assault and neglect law, a law to ensure the confidentiality of victim's services and centers, and an aggravated assault statute. Several other bills are still being reviewed by Judiciary Committee and the Criminal Justice Committee, and we are urging the Chairs to take action on those bills.

Community Education

Goals for 1995-1996

Teen-Dating Violence

-Designing a model restraining order attachment which would address teenagers' lifestyles and patterns when designing safety-plans.
-Developing model protocols and policies for schools and colleges in reporting dating violence.
-Working with the Batter Intervention Subcommittee on developing guidelines for working with adolescent offenders. Also, developing a mechanism for training more male outreach workers for male teenagers on issues of relationship violence.
-Sharing promising practices and resources with schools that develop from the model school-based teen-dating violence intervention programs beginning this fall, as well as evaluation and research from other schools and programs addressing these issues.
-Recruiting people from Northeastern university program to develop more college-based programs.

Health Care

-Developing training for clinicians on risk-management, possibly tying it to CEU credits.
-Developing guidelines for clinicians on handling health care for the abusers, as well as the abused.
-Developing further Roundtable guidelines.
-Collaborating with the health care providers group, C.O.B.T.H., the Conference on Boston Teaching Hospitals on some special projects.

Community Education

-Doing further awareness seminars for the media.
-Working closer with the Batterer Intervention Subcommittee on the Commission and doing joint projects.
-Placing information and resources for victims of domestic violence in women's public bathrooms in hospitals and universities, as well as with beauticians and other places in which women are likely to be alone.
-Packets of information to women seeking restraining orders.
-Garnering and distributing more information on the effects of domestic violence on children as a means of helping mothers look for help.

Newsletter

The **Newsletter Working Group** welcomes contributions for the Winter issue. Please call or send in ideas for articles to the editor as soon as possible.

MASSACHUSETTS RAPE CRISIS CENTERS

RCCM Fitchburg Office
FITCHBURG, MA
BUSINESS: 508-343-5683
HOTLINE 1-800-870-5905

New Hope
ATTLEBORO, MA
BUSINESS: 508-226-4016 4015
HOTLINE 508-695-2113

North Shore Rape Crisis Center
BEVERLY, MA
BUSINESS: 508-927-4506
HOTLINE: 1-800-992-8722

Assabet Valley Rape Crisis
MARLBORO, MA
BUSINESS: 508-481-8290
HOTLINE 508-485-RAPE

Women's Resource Center
LAWRENCE, MA
BUSINESS: 508-585-2480
HOTLINE: 800-400-4700

RC Services of Greater Lowell
LOWELL, MA
BUSINESS: 508-452-7721
HOTLINE: 800-542-5212

A Safe Place
NANTUCKET, MA
BUSINESS: 508-228-0561
HOTLINE: 508-228-2111

Martha's Vineyard-Comm Services
VINEYARD HAVEN, MA
BUSINESS: 508-693-7900
HOTLINE: 508-696-SAFE

Stanley Street Treatment & Resources
FALL RIVER, MA
BUSINESS: 508-675-0087
HOTLINE: 508-575-0087

New Bedford Women's Center
NEW BEDFORD, MA
BUSINESS: 508-996-3343
HOTLINE: 508-99-WOMEN

Rape Crisis of Berkshire County
PITTSFIELD, MA
BUSINESS: 413-442-6708
HOTLINE: 413-528-9434

Women's Protective Services
FRAMINGHAM, MA
BUSINESS: 508-820-0834
HOTLINE: 508-626-8686

CPASA Multi Service Center
DORCHESTER, MA
BUSINESS: 617-427-4470 X350
HOTLINE: 617-442-6300

RCCCM Worcester
WORCESTER, MA
BUSINESS: 508-791-9545
HOTLINE: 508-799-5700

Everywomen's Center
AMHERST, MA
BUSINESS: 413-545-5832
HOTLINE: 413-545-0800

Y.W.C.A.\ARCH
SPRINGFIELD, MA
BUSINESS: 413-732-3121
HOTLINE: 413-733-7100

Boston Area Rape Crisis Center
CAMBRIDGE, MA
BUSINESS: 617-492-8306
HOTLINE: 617-492-RAPE

Blackstone Valley RCT
MILFORD, MA
BUSINESS: 508-478-8775
HOTLINE: 508-478-2992

NELCWIT
GREENFIELD, MA
BUSINESS: 413-772-0871
HOTLINE: 413-772-0806

Independence House
HYANNIS, MA
BUSINESS: 508-771-6507
HOTLINE: 800-439-6507

Plymouth County Rape Crisis Center
BROCKTON, MA
BUSINESS: 508-580-3964
HOTLINE: 508-588-8255

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FORUM is a periodical of the Executive Office of Public Safety, Programs Division, published in collaboration with the Governor's Commission on Domestic Violence.

Its purpose is to provide a forum for discussion and serve as a clearinghouse for information on the issues addressing the declared public emergency of domestic violence. We welcome your comments and story contributions to ***FORUM.***

The views and opinions expressed in FORUM are those of the individual authors and do not necessarily reflect the views of the Commission.

S.T.O.P.
1995

1995
S.T.O.P
Violence Against Women
Formula Grants

S.T.O.P.
1995

In June 1995, the **Massachusetts Executive Office of Public Safety** was awarded $426,324 by the Violence Against Women Program, Office of Justice Programs, U.S. Department of Justice, to implement the 1995 S.T.O.P. Program. The Program is authorized under the 1994 Violence Against Women Act.

The purpose of the S.T.O.P. Program (Services•Training• Officers• Prosecutors) is to develop and implement effective law enforcement, victims services, prosecution and court strategies to combat violent crimes against women. Grant applications will be made available NOVEMBER 1, 1995 from the Massachusetts Executive Office of Public Safety Programs Division. Deadline for grants submission is Thursday, November 30, 1995. Questions regarding the grant process can be directed to Programs Director Rai Kowal at 617-727-6300 ext. 305.

FORUM
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